IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7689 OF 2004

Abhijit Baban Khawate ...Petitioner

vs.

1. The State of Maharashtra
Department of Education ...Respondents

Mr.Kode alongwith S.A.Sawant, for Petitioner.

Mr.V.P.Malvankar, Addl.G.P. for Respondent nos.1 & 2.

Mr.J.S.Chandnani, for Respondent nos. 3 & 4.

CORAM: A.P.SHAH & S.U.KAMDAR, JJ.

DATED: 20th September,2004.

P.C.:-

Heard Advocates.

1. By consent of parties, following order is passed:-

2. Respondent no.3 and 4 to issue advertisement in the local newspapers having wide circulation inviting applications for appointment to the post of "Special Teacher" in respondent no.4 School from the candidates belonging to Nomadic Tribe with prescribed qualifications within a period of one month from today. Alongwith the advertisement, respondent nos. 3 and 4 should also call

for the lists of N.T. candidates from the concerned

authorities such as Employment Exchange office and the Project Officer of the Tribal Welfare Department for the purpose of appointment to the said post. Respondent Nos.3 and 4 to hold interviews and fill up the post of "Special Teacher" belonging to Nomadic Tribe from the academic year 2005-2006.

3. Respondent nos.3 and 4 not to continue the petitioner in the post of "Special Teacher" reserved for Nomadic Tribe in respondent no.4 school from June,2005.

4. In the meantime and till the academic year 2004-2005, the petitioner shall continue to hold the post of Special Teacher in the respondent no.4 school. Respondent no.2 to give necessary approval for continuing the petitioner in the Respondent no.4 School for the year 2004-2005.

5. Petition disposed of in the above terms.

6. Certified copy of the order is expedited.

(A.P.Shah, J.)

20.9.2004. (S.U.Kamdar, J.)